

**MR. CUNEY'S STATEMENT
TO THE COURT**

Hon. Justice Scullin

I hope this letter finds you well. My name is Jonathan Mitchell Cuney, case # 1:19-CR-00420-FJS. I plead guilty to several counts of being a felon in possession of a firearm and ammunition and violation of 18 U.S.C 922 (g). I was charged in several states I have family and friends in, and maintain gun collections there.

Though I undeniably broke the law and accept full responsibility for my actions, my purpose in writing to you this letter, Your Honor, is to explain my actions and reasons for doing so. I will place at your disposal my thoughts, history, background and future plans. Good, bad, or ugly every last word is the truth. You may use this information for me or against me at your leisure sir, knowing it is as accurate a picture as any man may draw of what makes me, me; and why I have done the things I have admitted by guilt for, and undeniably did. I greatly appreciate you taking the time to read this letter Your Honor, as writing it was not easy, and very emotionally tiring.

I was born and raised in the rural community of New Paltz, New York. I lived in the mountains outside of town and spent my childhood in the woods. At 13 years old I took my first job at our town's only gun shop. It was truly a magical place for me as an impressionable boy. I would often times hang out there even while not at work for fear I may miss something. As the crockpot was always on, I would eat a bowl of soup or chili, and hear the old World War II vets, Korea and Vietnam vets, or younger Bosnia or Persian Gulf vets talk about the wars. I would hear about wild hunts to Africa, Montana, or Texas and of fishing trips to Alaska or the gulf of Mexico. It was here I was instilled with my sense of patriotism, my love of guns and the outdoors, and my staunchly conservative political views. As I was raised in a religious family, I was no stranger to

the Bible or God. I could barely wait to graduate high school to enlist in the Marines and serve this country as many brave patriots did before me. At this point in my life guns were harmless in my eyes.

I graduated high school in June 2001 and left for the Marine Corps's basic training in Parris Island S.C. in August 2001. One month into training the attacks occurred on 9/11 that changed our country forever. After completing basic training I returned home on leave and went to N.Y.C to visit Ground Zero. The towers were still smoking. The sites impacted me so heavily in my youthful innocence it brought tears to my eyes. 20 years later as a man of iron grit, it brings tears to my eyes writing this. I never saw more clearly the purpose of my service and yearn for the chance to settle the score with the bastards responsible for doing that to us.

Unfortunately I still had training to complete and a two-year assignment in nuclear security forces, so I would be stuck stateside unable to deploy. I began to use that time wisely by volunteering for every advanced training opportunity I could as well as by doing correspondence courses and self-studying Arabic, Islamic insurgency and enemy weapons. I became an expert in urban warfare, close quarters battle (CQB-SWAT Tactics), and both N.A.T.O and threat/enemy weapons. In 2004, my call came; however, this call was not random. I was being reassigned to the most decorated unit in the Marine Corps which was being tasked with securing the city of Fallujah. This was a completely enemy occupied stronghold located in the heart of the Iraqi triangle of death. The battle there was a bloodbath. To date, since Hue City, Vietnam in 1968 the US military hasn't faced a more bloody engagement. Battle began November 7 and although my unit was dubbed "contact kilo", for our frequent enemy contact. I made it till December 12 before being injured. On the day I was wounded I also lost my platoon sergeant, squad leader,

and three of my closest friends. Additionally, 17 other friends were maimed, crippled, burned, or shot that day as we fought against 75 Islamic extremist foreign fighters we trapped in a city block. I didn't lose these friends in a far off land out of sight or mind, I still hear their screams and see their death struggle nightly. Though I undeniably killed many men in battle, and despite the media attention I received, I never once glorified killing or even openly acknowledged it publicly. That I leave between me and God.

I was 22 years old then. I was handicapped and unemployed back living at home with my parents. The political climate in N.Y. closed the gun shop in my absence. I was unable to pass the medical exams for the police or sheriff's department, and as I planned on a 30 year military career, I was lost as to what came next. The normalcy of being home was killing me. My mother asked if I would like pancakes one morning, and something so simple and normal became so surreal to me, as screams and gunfire constantly played over and over in my head. I needed an escape, and found it. When the next call came, sending me back into disaster and battle, this time as a military contractor. A military buddy going through the same rough transition got offered a 30 day security contract in New Orleans, as a category five hurricane was heading straight for it. I didn't need to be asked twice, I grabbed a rifle and was on the ground 12 hours later.

Hurricane Katrina demolished the city of New Orleans and caused 1800 deaths. Nearly an additional thousand died from the violence post Katrina. As we entered the ravaged city, buildings were on fire, homes were demolished, electrical lines were down and live, streets were flooded and bodies littered the street. 500 city police officers abandoned post as the levies broke, 911 was off-line, and looters and thugs took to the streets in a free-for-all. We were under gunfire frequently, in America. In my 30 days there I witnessed death unthinkable for our civilized

society. Despite the countless waterlogged, bloated bodies I gazed upon in horror, even more horrific was the fresh corpses, some with their pants pulled down and raped, with a bullet in their head. It was unthinkable. This wasn't Somalia, Iraq, or Jurarez; this was America. This experience has taught me that we live under a very thin veneer of civilization, ready to burst at any moment. On my return from that disaster I became a firm believer in preparedness, as I learned it CAN happen here. I have seen war and disaster in Africa, Asia, Latin America, and the Middle East. The sites and sounds I live with cannot be deleted from my head sir. No amount of therapy can take them away. I do all I can do. I file it down deep and drive on. However I remain fully prepared for anything.

In an effort to leave the insanity behind me, in 2011 I took employment in the arms business. I worked for some well-known companies and eventually went into business for myself. I was a licensed importer, manufacturer, collector, and dealer of firearms, including silencer/suppressors and machine guns. I held concealed carry pistol permits in 9 separate states and was a firearms instructor, certified nationally. I have lawfully sold approximately 50,000 firearms and 10 million rounds of ammunition to police agencies, military units, and gun stores. I lawfully carried a firearm virtually everywhere 24/7.

Angered by the passage of N.Y.'s safe act, I made some very irresponsible, reckless and inexcusable poor choices in rebellion to what I viewed as an open infringement on our second amendment rights. This led to my incarceration, for the first time in my life. I served 33 months of a 37 month sentence and was branded a felon for life.

Upon my release I attended S.U.N.Y. Cobleskill and studied agricultural business. I am 18 credits shy of my bachelors degree from that school. When released from supervision I went to

Africa to open a poultry farm and explore several opportunities in agriculture there. A job opportunity I had fell through and my relationship of 15 years was failing. I was heavily indebted from losing everything I had and supporting my family while I was incarcerated. As a felon, and disabled, doors were closed to me and finding my way once again began to depress me and was difficult. So I took to America in search of a remedy.

I travel to the great Prairie of Missouri, over the Rockies into Wyoming, across the salt flats and great desert, and traversed the Sierra Nevada's and great cascade range of the Pacific. I sadly report to you your Honor there is no frontier left. Though my quest supplied me no answers, it did create one hell of a shake up in my personal life and a slew of federal charges.

I have used this past 25 months to study our nation's history, conflicts and laws. I read 186 books (and counting) not accounting for those that are multi volumes in which I only listed as one. The French and Indian war, Bacon's rebellion, American revolution, war of 1812, Civil War, Mexican American war, and Spanish American war as well as our westward expansion, constitution, and founding fathers works. Works such as the Federalist papers by Alexander Hamilton, James Madison and John Jay. Common sense by Thomas Paine. The winning of the west by Theodore Roosevelt. As well as other influential works such as Adams Smith "Wealth of Nations", my bondage and my freedom, by Frederick Douglass, John Locke's two Treatises of Government, and Jean Jacque Roseau's "discourse upon the origins and foundations of inequality amongst mankind." I read very few novels/fiction pieces in my 186 book account. And only works by framed novelist such as Jules Verne or Upton Sinclair.

My original thought to my course of self study was to apply the thousands of quotes and notes I took while reading to obtain my masters in US history. But then what? Become a professor?

Write books? None of these things appealed to me. Even with a "plan" I was still lost. In reading how our forefathers' crazy experiments and radical/rebellious personalities and ideas gave birth to the greatest nation on earth, I realized they were not all soldiers or statesmen. Most of them were lawyers. This planted a seed which has led me to take up a study of law, Civil rights, and constitutionality.

With my present education, I would need approximately three years to receive my J.D. degree. I maintain strong ties in my community, through my family, and may surprise you by some political support I can muster to assist me, as a felon, to sit for the BAR. This career path as a career I can work in despite my disabilities, into old age, that is honest and honorable, and provide me the high energy, challenging, and fast-paced environment I enjoy working in.

As I possess countless contacts in this nation's firearm industry and relevant lobbying groups such as the N.R.A , I could easily find law work in which I am well suited for. I would like to pursue the overturning of the lifetime ban on firearms ownership by felons once their justice involvement is done. I will also promise you here and now sir I will never touch another firearm or ammunition until I can walk into a gun shop and buy one lawfully again. I am highly confident this career field will keep me on the straight and narrow and give me a long-term goal. I have frequently heard that the pen is mightier than the sword. I intend to lay down the sword, pick up the pen, and find out firsthand.

A freedom of speech control act will never pass the muster in this great nation. I do not understand how a gun control act ever did. Though I clearly understand guns can be used to cause horrific damage, their current regulations do little to fix this. Prohibition did not fix alcoholism. The war on drugs did not halt addiction or drug availability. After these two failed

experiments can we honestly say gun control effects truly stem violent crime? I am afraid not sir. The right of the people to keep and bear arms shall not be infringed. Even after our Civil War, armed people in open sedation against the government weren't disarmed, but a felony conviction shall restrict a man from the ability to hunt for food, protect his family and home, or himself in the outdoors for as long as he lives? I find this very difficult to believe. The recent N.Y. Rifle and pistol case that went before the Supreme Court asked why would we need a permit or license to exercise our constitutional rights? Heller's case clearly defined the right to bear arms as an individual right, unconnected to the militia service, but would not go as far as granting a felon this right due to a "long standing" restriction. I would surmise the G.C.A. Of 1968 is not nearly as "long-standing" as the second amendment, ratified in 1789. To this pursuit your honor, I will dedicate my career. If you think it to Hurculean a task or that I may not be up to it you severely underestimate the mettle of the man standing before you.

I have spent going on 25 months incarcerated at present. I had a daughter born who I never met. I haven't seen my children in two years. I had a cancer scare. I contracted COVID-19 in jail. My father suffered a stroke, my past two years have been very rough.

Once released I will finish my last semester at S.U.N.Y. Cobleskill on the presidents list. (I was on it my past two semesters.) to ensure success on a law school admissions application. I will take the L.S.A.T. And the score high marks. I will apply to both Cornell II and Albany law. Where I am accepted I will go. I will network effectively to ensure I am accepted.

With the utmost respect and humility sir, I beg you for leniency so I may return to my family and begin my studies. I have placed before you the reality of my life and the nature of the world as I've seen it. It has taken me quite some time to write this letter, ponder on life and get this to

my girlfriend to type before I submitted it to you. I greatly appreciate you taking the time to read my letter, your Honor.

Respectfully submitted

Jonathan Cuney